

REMARKS

1. In response to the Office Action mailed September 22, 2005, Applicants respectfully request reconsideration. Claims 21-62 were last presented for examination. In the outstanding Office Action, claims 21-62 were rejected. No claims have been amended, canceled or added. Thus, upon entry of this paper, claims 21-62 will remain pending in this application. Of these forty-two (42) claims, three (3) claims (claims 21, 35 and 49) are independent. Based on the following Remarks, Applicants respectfully requests that the outstanding objections and rejections be reconsidered, and that they be withdrawn.

Art of Record

2. Applicants acknowledge receipt of form PTO-892 identifying additional references made of record by the Examiner.

Claim Rejections

3. Independent claims 21, 35 and 49 and dependent claims 22-24, 27-29, 31, 34, 36-38, 41, 43, 45, 48, 50-52, 55, 57, 59 and 62 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,910,803 to Grau, *et al.* (hereinafter, "Grau") in view of U.S. Patent No. 6,701,459 to Ramanathan, *et al.* (hereinafter, "Ramanathan"). Based on the following Remarks, Applicants respectfully request reconsideration and withdraw of these rejections.

4. In the Office Action, the Examiner concedes that Grau, the primary reference relied on by the Examiner, fails to disclose "generating the requested topology map using the gathered information, wherein the generated topology map is in conformance with a graphics format; and transporting the generated topology map to the remote node utilizing a network protocol that enables the generated topology map to be linked into a web page," as recited in independent claim 21. Instead, the Examiner relies upon Ramathan for allegedly disclosing these limitations. (*See*, Office Action at pg. 3, "Ramanathan teaches transporting the requested topology map to the remote network node....Ramanathan also teaches the generated topology map is in conformance with a graphics format.") Applicants respectfully assert that for at least the below discussed reasons, the Examiners reliance on Ramanathan is misplaced.

5. In the Office Action, the Examiner asserts that Ramanathan “teaches transporting the requested topology map to the remote network node.” (*See*, Office Action, Pg. 3.) The Examiner apparently intends to be alleging that the relied on portions of Ramanathan teach the limitation of claim 21 reciting “transporting the **generated** topology map to the remote node utilizing a network protocol that enables the generated topology map to be linked into a web page.” (emphasis added.) Ramanathan, however, fails to teach or suggest transporting a generated topology map to a remote node. Rather, Ramanathan discloses transporting different components of a map to a remote network node, where the map is then generated. (*See*, Ramanathan, FIG. 14; col. 9 lns. 46-53; col. 4 ln. 55- col. 5 ln. 12.) That is, Ramanathan does not teach transporting a generated topology map to a remote node, but instead teaches generating the topology map at the remote node.

6. Accordingly, Applicants respectfully assert that neither Ramanathan nor Grau, whether taken alone or in combination, teach or suggest, “transporting the generated topology map to the remote node utilizing a network protocol that enables the generated topology map to be linked into a web page,” as recited in independent claim 21. As such, Applicants respectfully request that the Examiner reconsider and withdraw the rejection to claim 21 for at least this reason.

7. Independent claim 21 further recites “wherein the generated topology map is in conformance with a graphics format.” As such, not only does Ramanathan fail to teach or suggest transporting a generated topology map to a remote node, it also fails to teach or suggest that the transported map is generated in conformance with a graphics format (e.g., GIF, PNG, etc.) prior to its transfer to a remote node.

8. As such, Applicants respectfully assert that independent claim 21 is allowable over Ramanathan and Grau for at least the additional reason that neither Ramanathan nor Grau, whether taken alone or in combination, teach or suggest “transporting the generated topology map to the remote node” wherein “the generated topology map is in conformance with a graphics format,” as recited in independent claim 21. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection to claim 21 for at least this additional reason.

9. Independent claim 35 recites “transporting the generated topology map to the remote node utilizing a network protocol that enables the generated topology map to be linked into a web page” wherein “the generated topology map is in conformance with a graphics format.”

Applicants therefore respectfully submit that for at least similar reasons to those discussed above, independent claim 35 is likewise allowable.

10. Independent claim 49 recites “transport the generated topology map to the remote network node utilizing a network protocol that enables the generated topology map to be linked into a web page” wherein “the generated topology map is in conformance with a graphics format.” Applicants therefore respectfully submit that for at least similar reasons to those discussed above, independent claim 49 is likewise allowable.

The Examiner has Failed to Provide Evidence of a Motivation to Combine the References

11. Applicants further respectfully submit that the Examiner’s rejection is improper for the additional reason that the Examiner has not provided proper support for the assertion that one of ordinary skill in the art, without having had the benefit of Applicants’ novel teachings before them, would have been motivated to make the novel combination of elements required to created the improved network management system and method of the present invention.

12. In the Office Action, the Examiner alleged that the reason for motivating one of ordinary skill in the art to “combine the method of Grau with the teaching of Ramanathan . . . would have been to effectively manage the system from anywhere with Internet access.” (See, Office Action, Pg. 3.) The Examiner, however, identified no support in Grau, or in any other art of record, supporting the Examiner’s conclusory allegation of a motivation to combine. As such, the Examiner has failed to provide any evidence, whether in the form of some teaching, suggestion, incentive or inference in Grau or other art of record, or in the form of generally available knowledge, that one having ordinary skill in the art would have been led to modify the relevant teachings of Grau in the proposed manner. (See, M.P.E.P. §2143.01.) Moreover, the Grau reference alone allows the user to manage the network from anywhere with internet access, and as such the motivation alleged by the Examiner would be unnecessary, as Grau already provides this capability. (See, Grau, Col. 6, Lns. 10-14.) Therefore, because, as acknowledged by the Examiner, Grau does not identically disclose the present invention, and the Examiner has provided no evidence of any motivation to modify the teachings of Grau with the teachings of Ramanathan, the rejection was improper and should be withdrawn for at least this additional reason.

Dependent Claims

13. The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter which makes them a fortiori and independently patentable over the art of record. Accordingly, Applicants respectfully request that the outstanding rejections of the dependent claims be reconsidered and withdrawn.

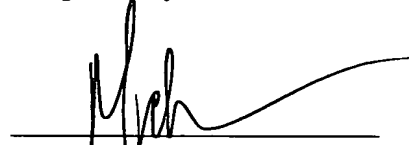
14. In addition, dependent claims 25, 26, 30, 33, 39, 40, 44, 47, 53, 54, 58 and 61 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Grau and Ramanathan in view of U.S. Patent No. 5,987,513 to Prithviraj, *et al.* (hereinafter, "Prithviraj"). Applicants respectfully note that the Examiner has failed to provide any evidence, whether in the form of some teaching, suggestion, incentive or inference in Grau or other art of record, or in the form of generally available knowledge, that one having ordinary skill in the art would have been led to modify the relevant teachings of Grau in the proposed manner. (*See*, M.P.E.P. §2143.01). Accordingly, Applicants respectfully request that the Examiner withdraw the rejection for at least this additional reason.

15. With regard to the Examiner's rejections of dependent claims 28, 32, 42, 46, 56 and 60 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Grau and Ramanathan in view of U.S. Patent No. 5,793,974 to Messinger (hereinafter, "Messinger"). Applicants respectfully note that the Examiner has failed to provide any evidence, whether in the form of some teaching, suggestion, incentive or inference in Grau or other art of record, or in the form of generally available knowledge, that one having ordinary skill in the art would have been led to modify the relevant teachings of Grau in the proposed manner. (*See*, M.P.E.P. §2143.01). As such, Applicants respectfully request that the Examiner withdraw the rejection for at least this additional reason.

Conclusion

16. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael G. Verga', written over a horizontal line.

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November 22, 2005